



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: 37974-0197

Applicant(s): Noel BARRETT et al.

Serial No.: 10/639,449

Examiner: To be assigned

Filing Date: August 13, 2003

Group Art Unit:

Title: INACTIVATED INFLUENZA VIRUS VACCINE FOR NASAL OR  
ORAL APPLICATION

**INFORMATION DISCLOSURE STATEMENT  
UNDER 37 CFR §1.56 and 37 CFR §1.97**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08A is a listing of documents known to applicants in order to comply with applicants' duty of disclosure pursuant to 37 C.F.R. §1.56 and §1.97. A copy of each of the listed documents are being submitted to comply with the provisions of 37 C.F.R. §1.97-1.99.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or is considered to be material to patentability as defined in 37 C.F.R. §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* prior art reference against the claims of the present application.

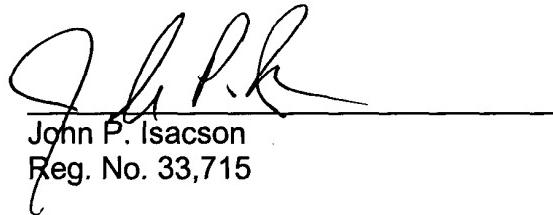
Applicants believe that the instant Information Disclosure Statement is being filed within three months of the filing date under 37 CFR §1.97(b)(1), therefore, no fee is required in connection with its filing.

Applicants submit herewith on Form PTO/SB/08A, a listing of the documents cited by or submitted to the Patent Office in parent application Serial No. 09/913,400, filed December 5, 2001. The relevance of these prior art documents is explained in the parent application.

As provided in 37 C.F.R. §1.98(d), copies of the documents are not being provided since they were previously cited by or submitted to the Patent Office in parent application Serial No. 09/913,400 filed December 5, 2001.

Applicants respectfully request that the listed documents be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08A be returned in accordance with M.P.E.P. §609.

Respectfully submitted,



John P. Isaacson  
Reg. No. 33,715

August 28, 2003  
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AUG 28 2003

LIST OF REFERENCES CITED  
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Date Submitted: August 28, 2003

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## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE (M/D/Y)	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	4,981,782	1/91	Judd et al.	435	5	
	A02	5,136,019	8/92	Judd et al.	530	326	
	A03	5,243,030	9/93	Judd et al.	530	403	
	A04	5,976,552	11/2/99	Volvovitz	424	199.1	

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE (M/D/Y)	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	A05	WO94/19013	9/94	WIPO			
	A06	WO96/15231	5/96	WIPO			
	A07	WO96/40290	12/19/96	WIPO			
	A08	WO99/24068	5/20/99	WIPO			
	A09	WO97/49423	12/31	WIPO			
	A10	WO00/15251	3/23/00	WIPO			Abstract

## OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)

	A11	Avtushenko et al.	Journal of Biotechnology 44: 21-28 (1996)
	A12	Belshe et al.	New England Journal of Medicine 338(20): 1405-1412 (1998)
	A13	Chen et al.	Current Topics in Microbiology and Immunology 146: 101-106 (1989)
	A14	Couch et al.	Journal of Infectious Diseases 176: 38-44 (1997)
	A15	Davenport et al.	The Journal of Immunology 100(5): 1139-1140 (1968)
	A16	De Hann et al.	Vaccine 13(2): 155-162 (1995)
	A17	Komase et al.	Vaccine 16(2/3): 248-254 (1998)
	A18	Liew et al.	Eur. J. Immunol. 14: 350-356 (1984)
	A19	Oka et al.	Vaccine 8: 573-576 (1990)
	A20	Oka et al.	Vaccine 12(14): 1255-1258 (1994)
	A21	Palmer et al.	A Procedural Guide to the Performance of Rubella Hemagglutination-Inhibition Tests. U.S. Dept. of Health, Education, and Welfare, Immunology Series No. 2 Revised, pgs. 25-62 (1977)
	A22	Tamura et al.	The Journal of Immunology 149(3): 981-988 (1992)

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



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